REMARKS

Claims 37-87 are pending. Applicants have added new claims 84-87 and amended claims 37-40, 48-54, 62-66, 70, and 74-83 to clarify the subject matter for which applicants seek protection.

In a non-final Office Action mailed on October 4, 2006, the Examiner rejected claims 38-40, 48-61, 63-65, 70-73 and 77-83 under U.S.C. § 112, first paragraph as failing to comply with the enablement requirement. The Examiner rejected claims 37, 41-47, 62, 67-69, and 74-76 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3, 6-8, 11, 16-18, and 25 of Mackin et al. (U.S. Patent No. 6,728,877). Also, the Examiner rejected claims 51-53, 62-64, 66, 70, 74-77, and 79-82 under 35 U.S.C. § 102(e) as being anticipated by Hunter et al. (U.S. Patent No. 6,161,176). Finally, the Examiner rejected claims 37-50, 54-61, 65, 67-69, 71-73, 78, and 83 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Hunter and one having ordinary skill in the art.

Applicants would like to thank the Examiner for his consideration during the telephone interview of January 12, 2007. During that interview, applicants' representative discussed the rejection of claims 38-40, 48-61, 63-65, 70-73 and 77-83 under U.S.C. § 112, first paragraph. In particular, agreement was reached that applicants' specification provides support from "applying" or "installing" configuration settings. Accordingly, applicants have amended the claims in view of the Examiner's comments. No new matter is added by way of this amendment. For reasons discussed in detail below, applicants submit that the pending claims are now in condition for allowance.

Rejections Under 35 U.S.C. § 112, first paragraph

The Examiner rejected claims 38-40, 48-61, 63-65, 70-73, and 77-83 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement.

As amended, claims 38-40, 48-61, 63-65, 70-73, and 77-83 no longer use the words "injection", "injects", "injecting", or "injected". For example, amended claim 38 recites: "installing the stored configuration settings on the target computing system." As discussed above, the Examiner indicated that applicants' specification enables one skilled in the art to install or apply configuration settings to a target computing system. In addition, claims 39-40, 48-61, 63-65, 70-73, and 77-83 are amended in ways substantially similar to claim 38, albeit different in other ways. Therefore, claims 39-40, 48-61, 63-65, 70-73, and 77-83 are also enabled for at least the same reasons as amended claim 38.

Rejections on the Ground of Nonstatutory Obviousness-Type Double Patenting

The Examiner rejected claims 37, 41-47, 62, 67-69, and 74-76 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3, 6-8, 11, 16-18, and 25 of Mackin et al. (U.S. Patent No. 6,728,877).

A Terminal Disclaimer prepared in accordance with 37 C.F.R. § 1.321(b) and (c) is enclosed. The signed Terminal Disclaimer obviates this obviousness-type double patenting rejection.

Rejections Under 35 U.S.C. § 102(e), § 103(a)

The Examiner rejected claims 51-53, 62-64, 66, 70, 74-77, and 79-82 under 35 U.S.C. § 102(e) as being anticipated by Hunter et al. (U.S. Patent No. 6,161,176). Also, the Examiner rejected claims 37-50, 54-61, 65, 67-69, 71-73, 78, and 83 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Hunter and one having ordinary skill in the art.

In general, Hunter is describes a way to transfer application settings (e.g., template files and toolbar-related settings) from a first computer to a second computer. (col. 3:62-col. 4:6). To transfer settings, Hunter discloses a wizard to identify and retrieve configuration settings from a first computer. (col. 6:42-54). Once identified, Hunter

discloses that a settings file is created, which is provided to a second computer. (col. 10:17-19; col. 11:16-19). To finish, a wizard is executed at the second computer to retrieve and transfer the settings from the settings file to the second computer. (col. 11:28-35). Although Hunter generally describes transferring settings from a first computer to a second computer, Hunter fails to teach or suggest manipulating configuration settings.

As amended, independent claim 37 recites: "...manipulating at least one of the extracted configuration settings from a format used on the source computing system to a format used on the target computing system...." In contrast to Hunter, applicants' technology manipulates configuration settings to transition configuration settings from a format used on the source computing system to a format used on the target computing system.[1] It is clear that Hunter fails to teach or suggest "manipulating...extracted configuration settings", and amended independent claim 38 is therefore allowable over Hunter.

In addition, independent claim 51 is amended to recite that "at least one of the extracted configuration settings is manipulated from a format used on the source computing system to a format used on the target computing system...." Independent claim 62 is amended to recite "manipulating at least one of the extracted configuration settings from a format used on the source computing system to a format used on the target computing system...." Also, independent claim 70 is amended to recite "manipulating at least one of the extracted configuration settings from a format used on the source

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[1] In the Interview Summary of January 26, 2007, the Examiner indicates that he believes that the "manipulating" of a configuration setting is not enabled. Applicants respectfully disagree. Applicants' specification at 27:9-16 provides several examples of such manipulating. One example describes that a configuration setting needs to be manipulated so that it is stored with the name "config-monitor-new" on the target computing system, rather than the name "config-monitor-old" used by the source computing system. Another example describes that a configuration setting needs to be manipulated so that is stored in a directory on the target computing system that is different from that on the source computing system. Also, applicants' specification at 38:10-19 provides an additional example of manipulating as removing an extracted configuration setting. Applicant respectfully submits that one skilled in the art as of priority date of this application would have known how to store a configuration under a different name and in a different directory and to remove a configuration setting. As such, applicants respectfully submit that "manipulating" is fully enabled.
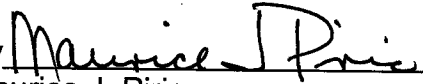
computing system to a format used on the target computing system..." Independent claim 74 is amended to recite "manipulating at least one of the extracted configuration settings from a format used on the source computing system to a format used on the target computing system..." Finally, independent claim 79 is amended to recite "means for manipulating at least one of the selected configuration settings from a format used on the source computing system to a format used on the target computing system...." This feature is neither taught nor suggested by Hunter. Therefore, independent claims 51, 62, 70, 74 and 79, and their dependent claims, are also allowable.

Based on the above amendments and remarks, applicants believe the pending application is in condition for allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8077.

Applicants believe any appropriate fees have been included with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 343328001US2 from which the undersigned is authorized to draw.

Dated: February 5, 2007   Respectfully submitted,

By Maurice J. Pirio
Maurice J. Pirio
   Registration No.: 33,273
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Attorney for Applicant